

REMARKS

By this amendment, applicants have amended the claims to more clearly define their invention. In particular, applicants have amended the phrase "raised portion" in claims 1, 2, 6, 7, 10, 11, 15, 16, 19, 20, 24 and 25 to read --extended portion-- to be consistent with the amendments made to the specification in the substitute specification filed March 7, 2002. Applicants have also amended the phrase "second flange" to read --third flange-- in claims 5, 14 and 23 to correct antecedent basis problems. Claims 1, 10 and 19 have been amended to more clearly define the extended (formerly "raised") portion consistently with a disclosure at page 8, lines 7 et seq. of the original specification and paragraph 0037 et seq. of the substitute specification, as well with element 73 of Figure 4. Claims 28, 32 and 36 amended to be in independent form.

Entry of this amendment under 37 CFR 1.116 is requested. Initially, it is submitted the amendment places the application in condition for allowance for the reasons hereinafter or, at least, in better form for consideration on appeal. Moreover, since the amendments merely more clearly define words and phrases consistently with the disclosure, correct antecedent basis problems and rewrite claims in independent form, it is submitted the amendments do not raise new issues required further consideration and/or search. Therefore, entry of this amendment under 37 CFR 1.116 is proper.

Claims 1-4, 10-13 and 19-22 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by European Patent Application Publication No. 0 477 727 (EP '727) to Kawanishi et al. Applicants traverse this rejection and request reconsideration thereof.

The present invention relates to a manufacturing method of a structural body, to a structural body, and to a car body of a railway vehicle. The rejected claims involve the use of first and second plates in which the first plate or frame member has a recessed portion and the second plate has an extended portion protruding therefrom. As set forth in these claims, the extended portion is inserted in and abutted to the recessed portion and the respective abutted portions welded.

EP '727 discloses a body structure for railway vehicles formed of a plurality of sections. Each of the sections has a reinforcement in an integrally continuous construction. The reinforcement has a plurality of through-holes which reduce total weight of the reinforcement and a plurality of ribs formed around the holes. The reinforcement is securely placed together with a surface of an outer plate.

The Examiner refers to Figures 3A -3C of EP '727 which shows an end body structure of the railway vehicle. In the embodiment shown in Figures 3A-3C, two end wall frames 33 are connected together with an end entrance upper frame 34 therebetween. However, the office action again makes absolutely no mention of any of the frames having a recessed portion and being abutted to and joined to another sub-assembly having a raised or extended portion protruding therefrom. In fact, it appears EP '727 does not disclose the use of first and second plates in which the first plate or extruded frame member has a recessed portion and the second plate has a raised or extended portion protruding therefrom, the raised or extended portion being inserted in and abutted to the recessed portion and the respective abutted portions welded, as presently claimed. Therefore, EP '727 does not anticipate claims 1 - 4, 10 - 13 and 19 - 22.

Thus, contrary to the Examiner's allegations, EP '727 does not disclose a plurality of plates for a rail car body arranged in the manner recited in the rejected

claims. That is, EP '727 does not disclose an extended portion of one plate inserted into and abutting a recessed portion of another plate, as presently claimed.

Therefore, EP '727 does not anticipate the presently claimed invention.


Applicants note the allowance of claims 5-9, 14-18, 23-27, 30, 31, 34, 35, 38 and 39 and the indication of allowable subject matter in claims 28, 29, 32, 33, 36 and 37.

In view of the foregoing amendments and remarks, entry of this amendment and favorable reconsideration and allowance of all of the claims now in the application are requested.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 503.40902X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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